

**RICH, INTELISANO & KATZ, LLP**  
ATTORNEYS AT LAW

June 16, 2021

*Via ESCF*

Hon. Sean H. Lane, U.S.B.J.  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408

Re: Navillus Tile, Inc. v. CNY Construction 701 LLC  
Case No. 17-01245 (SHL)

Dear Judge Lane:

My law firm has been retained to represent CNY Construction 701 LLC in the above captioned litigation. We filed an appearance with the Court yesterday.

With the Court's permission, we would like to have until the end of this week to reply to the June 10, 2021 letter of Howard Rosen, Esq., counsel for Navillus Tile, Inc. ("Navillus") (Doc. No. 76). That will give us time to start reviewing the file and to come to an understanding of the issues raised by the letter. In addition, depending on what we determine, it will also give us an opportunity to try to at least narrow the issues with Navillus's counsel before we burden the Court with a discovery dispute that appears to be limited to the procedure for producing documents. To that end, we will start by reviewing the set of documents that is the subject of counsel's letter.

We understand from Kevin Wallace, Esq. (outgoing counsel) that the Court intends to establish a schedule for completion of all discovery (including fact witness depositions and expert disclosure. We respectfully request until end of next week (June 25, 2021) to confer with Navillus Tile, Inc.'s attorney (Howard Rosen, Esq.) to present a joint plan to the Court.

We are mindful of the Court's determination to have this case ready for trial by end of year. It is not our intention to delay the case. We will need some time to get up to speed so that we can properly represent our client.

Hon. Sean H. Lane, U.S.B.J.  
June 16, 2021  
Page 2

Thank you for your consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Daniel E. Katz', is written over the text 'Respectfully Submitted,'.

Daniel E. Katz  
Email: Daniel@riklawfirm.com

cc: Howard M. Rosen, Esq.